



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/069,292	02/25/2002	Lucian Hirsch	449122023800	8066

25227 7590 07/05/2005

MORRISON & FOERSTER LLP  
1650 TYSONS BOULEVARD  
SUITE 300  
MCLEAN, VA 22102

EXAMINER

COFFY, EMMANUEL

ART UNIT PAPER NUMBER

2157

DATE MAILED: 07/05/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

10/069,292

Applicant(s)

HIRSCH, LUCIAN

Examiner

Emmanuel Coffy

Art Unit

2157

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 25 February 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 25 February 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 03/21/2002.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. This action is responsive to the application filed on February 25, 2002. Claims 1-14 are pending. Claims 1-14 are directed to a method and system for a "Generic Alignment Method in a Multimanager Environment."

#### ***Specification***

2. The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited.

#### ***Drawings***

3. The drawings are objected to under 37 CFR 1.83(a) because they fail to show "the limitations of claims 1 and 10" as described in the specification. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after

Art Unit: 2157

the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-14 are rejected under 35 U.S.C. §103(a) as being unpatentable over Hoffpauir et al. (US H1,896) in view of Robinson et al. (US 5,856,999.)

Hoffpauir teaches a network management system server of a telecommunications system, such as an integrated wireless telecommunications system is in communication with a network management system client and a call processor.

Claim 1:

A method for data realignment using a management network which has at least two management levels, comprising: (See Fig. 2 (70), col. 3, lines 12-20.)  
transmitting data for data realignment between at least one agent in one management level and at least one manager in a next-higher management level;  
sending one or more request messages to transmit the data to the at least one agent; and

Art Unit: 2157

transmitting correlation information for association of the respective request with the messages that are sent by the at least one agent, wherein

filter devices receive the data from the agents independently of the manager and pass the received data to the manager on the basis of the correlation information, with the filter devices being generic and/or independent of the actual functions of agents and managers. (See col. 17, lines 1-6).

Hoffpauir does not specifically teach transmitting data for realignment. However, Robinson teaches data realignment in details. See Fig. 8 and col. 6, line 25-col. 7, line 5. Hence, it would have been obvious at the time of the invention for an artisan of ordinary skill in the art to combine the use of multimanagement network system taught by Hoffpauir with the data realignment as taught by Robinson because in a typical serial communications system, serial data streams must be converted to and from processor (parallel) data.

Claim 2:

The method as claimed in claim 1, in which the data which is to be realigned during data realignment is alarm data. (See col. 22, line 67.)

Claim 3:

The method as claimed in claim 1, in which before transmission, the manager inserts the correlation information into an optional additional field.

Hoffpauir does not specifically teach correlation information. However, Robinson teaches "stuffing" a meaningless byte to force realignment or synchronization as correlation information would do. See col. 8, lines 30-37. Hence, it would have been obvious at the time of the invention for an artisan of ordinary skill in the art to combine

Art Unit: 2157

the use of multimangement network system taught by Hoffpaur with data correlation as taught by Robinson because stuffing would force the master channel byte to shift to the next available channel thereby realigning the data.

Claim 4:

The method as claimed in claim 1, in which components of the corresponding managers, of the agents or of units connected between a manager and an agent are used as filter devices. (See col. 22, lines 54-56 and col. 17, lines 1-6.)

Claim 5:

The method as claimed in claim 1, in which event forwarding discriminators, log discriminators or other units with filter capabilities are used as filter devices. (See col. 22, lines 54-56 and col. 17, lines 1-6.)

Claim 6:

The method as claimed in claim 1, in which a default filter setting of an additional field of each filter device is set, as standard, to filter out realignment data.

Hoffpaur does not specifically teach data realignment. However, Robinson teaches data realignment. See col. 6, line 25-col. 8, line 19. Hence, it would have been obvious at the time of the invention for an artisan of ordinary skill in the art to combine the use of multimangement network system taught by Hoffpaur with the data realignment as taught by Robinson because in a typical serial communications system, serial data streams must be converted to and from processor (parallel) data.

Claim 7:

The method as claimed in claim 6, in which the filter setting of the additional field of the filter device of the manager requesting data realignment is reset to the default filter setting after data realignment.

Hoffpauir does not specifically teach data realignment. However, Robinson teaches data realignment. See col. 6, line 25-col. 8, line 19. Hence, it would have been obvious at the time of the invention for an artisan of ordinary skill in the art to combine the use of multimanagement network system taught by Hoffpauir with the data realignment as taught by Robinson because in a typical serial communications system, serial data streams must be converted to and from processor (parallel) data.

Claim 8:

The method as claimed in claim 1, in which a filter setting of an additional field of the filter device of the manager requesting data realignment is set to filter out external data realignment data.

Hoffpauir does not specifically teach data realignment. However, Robinson teaches data realignment. See col. 6, line 25-col. 8, line 19. Hence, it would have been obvious at the time of the invention for an artisan of ordinary skill in the art to combine the use of multimanagement network system taught by Hoffpauir with the data realignment as taught by Robinson because in a typical serial communications system, serial data streams must be converted to and from processor (parallel) data.

Claim 9:

The method as claimed in claim 1, in which agents sending data realignment data transmit the data with the correlation information in the additional field to the filter devices of the managers.

Hoffpauir does not specifically teach data realignment. However, Robinson teaches data realignment. See col. 6, line 25-col. 8, line 19. Hence, it would have been obvious at the time of the invention for an artisan of ordinary skill in the art to combine the use of multimanagement network system taught by Hoffpauir with the data realignment as taught by Robinson because in a typical serial communications system, serial data streams must be converted to and from processor (parallel) data.

Claim 10:

A communications system having a management network which has at least two management levels, comprising: (See Fig. 2 and Fig. 3)

managing devices configured for use as managers and/or as an agent; and  
realignment devices for data realignment,

the devices for data realignment having autonomous filter devices, which are arranged as autonomous functional units between the actual functional units of managers and agents.

Hoffpauir does not specifically teach data realignment. However, Robinson teaches data realignment. See col. 6, line 25-col. 8, line 19. Hence, it would have been obvious at the time of the invention for an artisan of ordinary skill in the art to combine the use of multimanagement network system taught by Hoffpauir with the data



realignment as taught by Robinson because in a typical serial communications system, serial data streams must be converted to and from processor (parallel) data.

Claim 11:

The communications system as claimed in claim 10, in which devices for setting filter information and/or correlation information in associated filter devices are provided in the manager.

Hoffpauir does not specifically teach correlation information. However, Robinson teaches “stuffing” a meaningless byte to force realignment or synchronization as correlation information would do. See col. 8, lines 30-37. Hence, it would have been obvious at the time of the invention for an artisan of ordinary skill in the art to combine the use of multimanagement network system taught by Hoffpauir with data correlation as taught by Robinson because stuffing would force the master channel byte to shift to the next available channel thereby realigning the data.

Claim 12:

The communications system as claimed in claim 10, in which devices for setting filter information and/or correlation information in additional fields of data information which is to be transmitted via at least one filter device to a manager are provided in the agent.

Hoffpauir does not specifically teach correlation information. However, Robinson teaches “stuffing” a meaningless byte to force realignment or synchronization as correlation information would do. See col. 8, lines 30-37. Hence, it would have been obvious at the time of the invention for an artisan of ordinary skill in the art to combine the use of multimanagement network system taught by Hoffpauir with data correlation

Art Unit: 2157

as taught by Robinson because stuffing would force the master channel byte to shift to the next available channel thereby realigning the data.

Claim 13:

The communications system as claimed in claim 10, in which the filter devices are components of the corresponding managers, agents, or of units which are connected separately between a manager and an agent. (See col. 17, lines 1-6 and col. 22, lines 37 –56.)

Claim 14:

The communications system as claimed in claim 10, in which the filter devices are event forwarding discriminators, LOG discriminators or other units with filter capabilities. (See col. 17, lines 1-6 and col. 22, lines 37 –56 see also col. 16, lines 13-35.)

5. Claims 1-5 are further rejected under 35 U.S.C. §103(a) as being unpatentable over Hoffpauir et al. (US H1,896) in view of Hirsch et al. (US 6,728,688.)

Claim 1:

A method for data realignment using a management network which has at least two management levels, comprising: (See Fig. 2 (70), col. 3, lines 12-20.)

transmitting data for data realignment between at least one agent in one management level and at least one manager in a next-higher management level;

sending one or more request messages to transmit the data to the at least one agent; and

transmitting correlation information for association of the respective request with the messages that are sent by the at least one agent, wherein

filter devices receive the data from the agents independently of the manager and pass the received data to the manager on the basis of the correlation information, with the filter devices being generic and/or independent of the actual functions of agents and managers. (See col. 17, lines 1-6).

Hoffpauir does not specifically teach transmitting data for realignment. However, Hirsch teaches data realignment in details. See col. 2, lines 5-65.

Hence, it would have been obvious at the time of the invention for an artisan of ordinary skill in the art to combine the use of multimanagement network system taught by Hoffpauir with the data realignment as taught by Hirsch because in a typical serial communications system, serial data streams must be converted to and from processor (parallel) data.

Claim 2:

The method as claimed in claim 1, in which the data which is to be realigned during data realignment is alarm data.

Hoffpauir does not specifically teach transmitting data for realignment. However, Hirsch teaches data realignment (alarm data) in details. See col. 2, lines 5-65.

Hence, it would have been obvious at the time of the invention for an artisan of ordinary skill in the art to combine the use of multimanagement network system taught by Hoffpauir with the data realignment as taught by Hirsch because in a typical serial communications system, serial data streams must be converted to and from processor (parallel) data.

Claim 3:

The method as claimed in claim 1, in which before transmission, the manager inserts the correlation information into an optional additional field.

Hoffpauir does not specifically teach correlation information. However, Hirsch teaches "stuffing" a meaningless byte to force realignment or synchronization as correlation information would do. See col. 2, lines 5-65. Hence, it would have been obvious at the time of the invention for an artisan of ordinary skill in the art to combine the use of multimanagement network system taught by Hirsch with data correlation as taught by Robinson because stuffing would force the master channel byte to shift to the next available channel thereby realigning the data.

Claim 4:

The method as claimed in claim 1, in which components of the corresponding managers, of the agents or of units connected between a manager and an agent are used as filter devices. (See col. 22, lines 54-56 and col. 17, lines 1-6.)

Hoffpauir does not specifically teach components of the corresponding managers, of the agents or of units connected between a manager and an agent are used as filter devices. However, Hirsch teaches components of the corresponding managers, of the agents or of units connected between a manager and an agent are used as filter devices. See col. 10, claim 5, and col. 9, claim 1. Hence, it would have been obvious at the time of the invention for an artisan of ordinary skill in the art to combine the use of multimanagement network system taught by Hoffpauir with data correlation as taught by Hirsch because agents used as filter devices would provide the system with flexibility and efficiency.

Art Unit: 2157

Claim 5:

The method as claimed in claim 1, in which event forwarding discriminators, log discriminators or other units with filter capabilities are used as filter devices.

Hoffpauir does not specifically teach event forwarding discriminators, log discriminators or other units with filter capabilities are used as filter devices. However, Hirsch teaches event forwarding discriminators, log discriminators or other units with filter capabilities are used as filter devices. See col. 7, lines 43-57. Hence, it would have been obvious at the time of the invention for an artisan of ordinary skill in the art to combine the use of multimanagement network system taught by Hoffpauir with event forwarding discriminators, log discriminators or other units with filter capabilities are used as filter devices as taught by Hirsch because agents used as filter devices would provide the system with flexibility and efficiency.

**CONCLUSION**

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Emmanuel Coffy whose telephone number is (571) 272-3997. The examiner can normally be reached on 8:30 - 5:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (571) 272-3997. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published

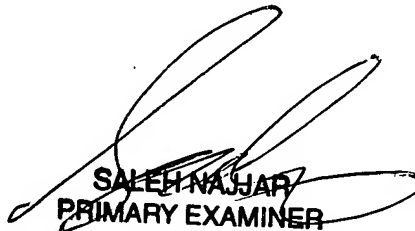
Art Unit: 2157

applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Emmanuel Coffy  
Patent Examiner  
Art Unit 2157

\*\*\*

EC  
June 22, 2005



SALEH NAJJAR  
PRIMARY EXAMINER